

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROCHE DIAGNOSTICS GMBH, et al.,
Plaintiffs,

-v-

ENZO BIOCHEM, INC., et al.,
Defendants.

No. 04 Civ. 04046 (RJS)

**ENZO BIOCHEM, INC. AND
ENZO LIFE SCIENCES, INC.'S STATEMENT OF MATERIAL FACTS SHOWING
GENUINE ISSUES TO BE TRIED IN OPPOSITION TO ROCHE
DIAGNOSTICS GMBH AND ROCHE MOLECULAR
SYSTEMS, INC.'S MOTION FOR SUMMARY JUDGMENT**

**FILED UNDER SEAL
PURSUANT TO STIPULATED PROTECTIVE
ORDER ON CONFIDENTIALITY (DKT. NO.
17, ORIGINALLY FILED IN 03-CV-8907
SIGNED BY JUDGE JOHN E. SPRIZZO,
12/08/2005)**